

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NORTH DAKOTA

IN RE:  
**Bryan P. Hyde**

Case No.

Debtor(s)

CHAPTER 13 PLAN

Date: **September 18, 2014**

**YOUR RIGHTS WILL BE AFFECTED.** You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provisions of this plan or any motion included below must file a timely written objection. This plan may be confirmed and the motions included below may be granted without further notice or hearing unless written objection is filed before the deadline stated on the separate Notice you should have received from the bankruptcy court. If you have a secured claim, this is notice that your lien may be voided or modified if you do not object to this plan.

**THIS PLAN DOES NOT ALLOW CLAIMS.** You must timely file a proof of claim to be paid under any plan that may be confirmed.

**1. PAYMENT AND LENGTH OF PLAN**

- |   |                    |
|---|--------------------|
| (a) Debtors will pay <b>\$550.00</b> per month for <b>60</b> months to trustee: | <b>\$33,000.00</b> |
| (b) Other payments to trustee:  | <b>None</b>        |
| (c) Total amount to be paid to Trustee shall be not less than                   | <b>\$33,000.00</b> |

**2. PRIORITY CLAIMS (INCLUDING ADMINISTRATIVE EXPENSES & SUPPORT)**

All allowed priority claims will be paid in full unless creditor agrees otherwise:

Creditor:	Scheduled Amount:	Monthly Payment:	Beginning in Month #:	Number of Payments:	TOTAL:
Department of the Treasury	<b>\$3,840.12</b>	<b>\$349.10</b>	<b>4</b>	<b>11</b>	<b>\$3,840.12</b>
N.D. Office of State Tax Commissioner	<b>\$897.16</b>	<b>\$81.56</b>	<b>4</b>	<b>11</b>	<b>\$897.16</b>

**3. SECURED CLAIMS: MOTIONS TO VALUE COLLATERAL AND VOID LIENS UNDER 11 U.S.C. §506.**

- (a) Debtor moves to value collateral as indicated in the “value” column immediately below. Trustee shall pay allowed secured claims the value indicated or the amount of the claim, whichever is less. The portion of any allowed claim that exceeds the value indicated shall be treated as an unsecured claim. Debtor moves to void the lien of any creditor with “NO VALUE” specified below.

**CREDITOR MUST RELEASE TITLE TO DEBTOR'S ATTORNEY WITHIN 30 DAYS AFTER CLAIM IS PAID IN FULL BY TRUSTEE.**

Creditor	Collateral	Scheduled Debt	Value	%	Begin in Month:	Ending in Month:	Monthly Payment:	Total payments:
-NONE-								
<b>TOTAL PAYMENTS:</b>								<b>\$0.00</b>

- (b) Debtor surrenders or abandons the following collateral. Upon confirmation, the stay is lifted as to surrendered or abandoned collateral

Creditor	Collateral to be Surrendered or Abandoned:
-NONE-	

- (c) Debtor retains the following collateral and keeps payments current. Payments will be made directly to creditor outside of plan.

Creditor	Collateral	Scheduled Debt	Monthly Payment:
-NONE-			

#### 4. UNSECURED CLAIMS

(a) **Not Separately Classified.** Allowed non priority unsecured claims shall be paid:

Not less than \$ \_\_\_\_\_ to be distributed pro rata  
 Not less than \_\_\_\_\_ per cent  
 Other: \_\_\_\_\_

(b) **Separately Classified Unsecured Claims**

Creditor:	Basis for Classification:	Treatment:	Amount:
-NONE-			

#### 5. CURING DEFAULT AND MAINTAINING PAYMENTS

(a) Trustee shall pay allowed claims for arrearages, and Trustee shall pay regular post petition contract payments to these creditors:

Creditor:	Collateral or Type of Debt:	Estimated Interest Rate:	Monthly Arrearage Payment:	Regular Monthly Payment:
-NONE-				

(b) Trustee shall pay allowed claims for arrearages, and Debtor shall pay regular post petition contract payments directly to these creditors:

Creditor:	Collateral or Type of Debt:	Amount of Default	Begin in Month:	Ending in Month:	Monthly Payment:	Total payments:
-NONE-						
<b>TOTAL PAYMENTS:</b>						<b>\$0.00</b>

#### 6. EXECUTORY CONTRACTS AND UNEXPIRED LEASES.

Executory contracts and unexpired leases are assumed or rejected as follows:

Creditor/Lessor	Property Description:	Assume/Reject
None		

#### 7. SUMMARY OF PLAN PAYMENTS AND DISTRIBUTIONS.

Payments by Debtors:	<b>\$550.00</b>	per month for	<b>60</b>	months	<b>\$33,000.00</b>
Other:	Description:				<b>None</b>
<u>Total to be Paid into Plan</u>					<b>\$33,000.00</b>

Payments from Plan:

Priority & Administrative Claims

Trustee	<b>\$2,937.00</b>
Attorney Fee	<b>\$1,500.00</b>
Priority Unsecured	<b>\$4,737.28</b>
Other	<b>\$310.00</b>

Total Priority and Administrative Payments from Plan	<b>\$9,484.28</b>
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Secured Debt Arrearages to be paid through Plan	<b>\$0.00</b>
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Secured Debt Payments to be Paid through Plan	<b>\$0.00</b>
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Total Priority, Administrative, and Secured Debt Paid from Plan	<b>\$9,484.28</b>
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Balance available for Unsecured Creditors	<b>\$0.00</b>
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Unsecured Portion from Schedule D:	<b>\$0.00</b>
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Unsecured Debt from Schedule F:	<b>\$32,147.05</b>
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<i>Total Unsecured Debt</i>	<b>\$32,147.05</b>
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Percent payable on unsecured debt: **73%**

## 8. OTHER PLAN PROVISIONS AND MOTIONS

(a) Motion to Avoid Liens under 11 U. S. C. § 522(f). Debtor moves to avoid the following liens that impair exemptions:

Creditor	Collateral	Amount of Liens to be Avoided:
-NONE-		

(b) Lien Retention. Except as provided above in Section 5, allowed secured claim holders retain liens until:

Liens are released at discharge.

Liens are released upon payment of allowed secured claim as provided above in Section 3.

Liens are released upon completion of all payments under the plan.

(c) Vesting of Property of the Estate. Property of the estate shall vest in Debtor:

Upon confirmation

Upon Discharge

Other: \_\_\_\_\_

(d) **Payment Notices.** Creditors and lessors provided for above in Sections 5 or 6 may continue to mail customary notices or coupons to the Debtor or Trustee notwithstanding the automatic stay.

(e) **Order of Distribution.** Trustee shall pay allowed claims in the following order:

Trustee Commissions

Other Administrative Claims

Priority Claims

Secured Claims

General Unsecured Claims

(f) **DEBTORS PLEDGE ALL DISPOSABLE INCOME FOR THE DURATION OF THE PLAN. TAX REFUNDS** are considered disposable income for the purposes of this plan. The debtor(s) shall turn over to the Trustee the receipt of any state and federal tax refunds during this Chapter 13 case as additional plan payments, and will not spend, transfer, encumber or dissipate any portion of such refunds without the consent of the Chapter 13 Trustee.

(g) **Other Provisions**

Debtor entered into a property settlement agreement with creditor Kara Gjerde as part of a marital termination. This property settlement agreement entered into as part of the marital termination will be treated as unsecured.

Dated: September 18, 2014

/s/ Bryan P. Hyde

Bryan P. Hyde

Signature of Debtor

/s/ Tracy J. Lyson

Tracy J. Lyson 06138

Signature of Debtor's Attorney

Signature of Joint Debtor (if any)